



ARKANSAS STATE BOARD
OF DENTAL EXAMINERS

MINUTES OF THE MEETING

17 May 2013

8:30 a.m.

On the 17th of May 2013, Dr. Drew Toole, President, called the meeting of the Arkansas State Board of Dental Examiners to order. The following members were present:

David Walker, D.D.S.
Drew W. Toole, D.D.S.
David Bell, D.D.S.
George Martin, D.D.S.

Jennifer Lamb, R.D.H.
Robert Keene, DDS
Robert H. Carter, DDS

Executive Director Donna Cobb, Investigator Meredith Rogers, and Attorney Kevin O'Dwyer were also present.

1. Approval of Minutes from March 15, 2013

Dr. Toole requested a Motion for approval of the Minutes from March 15th. A Motion was made, seconded and passed to accept the Minutes.

2. Attendances Per Board Order Request

- Nora Breedlove, RDH – Ms. Breedlove appeared before the Board with Dr. Brad Diner of the Arkansas Medical Foundation. She has the advocacy of the Foundation and will revisit the Board in June.
- Roy Griffin, DDS – Dr. Griffin submitted copies of his prescriptions written within the past month for the Board to review. The Board wished him well and he will revisit the Board in September.
- Montgomery Heathman, DDS – Dr. Diner report that Dr. Heathman has been compliant. Dr. Heathman requested an amendment to his Board Order, asking for an early release. A Motion was made, seconded, and passed to grant his request. Additionally, Dr. Heathman agreed to voluntarily report his meeting attendances and progress to the Board.

- Michael Krupka, DDS – Dr. Diner reported that Dr. Krupka has been compliant and will revisit the Board in September.
- Aaron LaMaster, DDS – Dr. LaMaster appeared with Dr. Diner to report that he has been compliant with his contract with the Arkansas Medical Foundation. Dr. LaMaster asked for permission from the Board to change his practice setting (i.e. working as an associate in private practice) and to reapply for a DEA permit. Dr. Diner advised that he would like to see Dr. LaMaster be a year into his Foundation contract before obtaining his DEA permit. After some discussion, a Motion was made, seconded and passed to allow Dr. LaMaster to apply for a DEA permit, but to only prescribe scheduled 3, 4, and 5 medication, and to send copies of his prescriptions to the Board office for review.

3. Conference with Dr. Rocky Cullens

Dr. Cullens appeared before the Board with his attorney, David Donovan, to explain why he failed to appear at the March 15, 2013 Board meeting. Dr. Cullens responded that because he sold his Fort Smith practice and moved to Oklahoma, he forgot to appear. After some discussion, Dr. Cullens surrendered his general anesthesia permit and the Board took no further action. Attorney Kevin O'Dwyer will amend Dr. Cullens' previous order. Also, before Dr. Cullens can practice in Arkansas again, he will need to get permission from the Board before doing so in the future.

4. Conference with Katy Warren

The Board reviewed a draft of the radiology manual that she was asked by the Board to revise. After review, a Motion was made, seconded, and passed to adopt the revision.

5. Interviews for Licensure

The following persons appeared before the Board for an Arkansas dental license by credentials:

- Bryan Downing, DDS
- Michael Gubler, DDS

After review of each application, a Motion was made, seconded and passed to issue dental licenses to Drs. Downing and Gubler.

6. Hearing – Bryan Childress, DDS

A Hearing was held for Bryan Childress, DDS for possessing a controlled substance, exhibiting habitual drunkenness, as well as exhibiting an addiction to narcotics and other habit forming substances. Dr. Childress failed to appear at the Hearing. A Motion was made, seconded, and passed to revoke his Arkansas dental license.

7. Question Asking if Office Staff Can Administer Sedation Medication

The Board reviewed an email from William T. Mahon, DDS asking if his dental office staff can administer sedation medication to patients. The Board answered "No, the receptionist cannot administer."

8. Request for Refund of Application Fee

Dr. Candice Perry requested a refund of her application fee for an Arkansas dental license by credentials. A Motion was made, seconded, and passed to issue her a refund of \$2,000.

9. Question Concerning the Placement of Implant Abutments

The Board reviewed an email from Susan Larsen asking if registered dental assistants can place implant abutments. The Board responded that if it is a permanent or final restoration, the answer is “no”.

10. Requests for Approval of Laser Courses

The Board reviewed and approved laser courses taken by the following registered dental hygienists:

- Heather Crow
- Melissa King
- Sarah Emeterio

11. Request to Draw Blood for PRP

The Board reviewed a letter from someone asking if a PRP can draw blood. The Board answered that it does not regulate the drawing of blood; that is a question for the Arkansas Medical or Nursing Board.

12. Letter from the International Association of Oral & Maxillofacial Surgeons

The Board reviewed a letter from the above mentioned organization, asking who can observe. The Board responded that anyone can observe.

13. Dr. Gerald Avillion

The Board reviewed a letter from Dr. Avillion’s physician in response to their request reflected in the March 15, 2013 Board Minutes. After some discussion, a Motion was made, seconded, and passed to require the following documents from Dr. Avillion before they can deliberate and consider a possible reinstatement of his Arkansas dental license:

- A letter signed by a physician stating proof of eMotional and psychological ability to return to work fulltime.
- A letter signed by a physician stating proof of physical ability to return to work fulltime.
- A letter signed by an Arkansas endodontic specialty organization stating proof of his technical skills.

Each signed letter must include supporting documentation of the extensive tests and examinations that determine and support the affidavit of each physician or organization.

14. Letter from Dr. Joseph Jensen

In his letter, Dr. Joseph Jensen discussed his concerns with how Board Orders are listed on the Board’s website. After some discussion, the Board agreed to check into this matter and reorganize the Orders that are listed on the site.

15. Email from Dr. Jason Havard

The Board reviewed an email from Dr. Jason Havard, questioning the administration of sedation medication. The Board answered that only a licensed practitioner or sedation assistant can administer, and that the dentist is ultimately responsible.

16. Attorney’s Report

In his Attorney’s Report, Kevin O’Dwyer reported that the Department of Health’s collaborative care bill will be up for legislative review on June 12, 2013.

17. Board Office Update

Donna Cobb reminded the Board of the financial reports that were available for them to review in their Board packets. Also, she asked for permission to hire McGonigal Consulting, LLC for database and document management integration. A Motion was made, seconded and passed to grant permission.

18. Complaint Committee Report

The Committee met the previous evening and reviewed eighteen complaints. Twelve of the complaints were found to have no apparent violation. Four complaints were tabled for further investigation. One complaint required no action. The Committee recommended that charges be voted and an Emergency Order of Suspension be issued to Sandra Martin, RDA for forging prescriptions by using her former employer's DEA number to fraudulently obtain prescriptions. A Motion was made, seconded and passed to accept the Committee's recommendation.

19. Rules and Regulations Committee Report

The Committee met the previous evening and reported that they will continue to work on Article XIII. Also, they recommended that a proposed amendment to Article XIV will be set for Public Hearing at the January 2014 Board meeting.

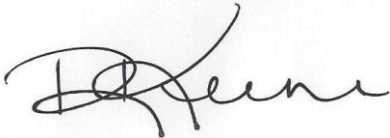
20. Fictitious Name Requests

The following fictitious names were approved:

- "Arkansas Braces" by Dr. Benjamin Burris
- "Bold Dental" by Dr. Taruna Bolding
- "Bright Ridge Dental" by Dr. Kristian Dietz
- "Maumelle Family Dentistry, PLLC" by Dr. Richard Lewis
- "Morton Family Dentistry of Ozark" by Dr. Phillip Morton
- "Restore Dental Bentonville" by Dr. Lindsay English
- "Batesville Braces", "El Dorado Braces", "Hot Spring Braces", and "Rock City Smiles" by Dr. Bryan Hiller
- "The Dental Clinic At Sheridan, PA" by Drs. Montgomery Heathman and Chad Matone

The next Board meeting is scheduled for June 21, 2013 at 8:30 am. With no other business, the meeting was adjourned.

Respectfully submitted,



Robert Keene, DDS
Secretary/Treasurer